



# TRECAdvisor

Texas Real Estate Commission ★ Volume 13, Number 1 ★ March 2002

## TREC SEEKS PUBLIC INPUT FOR 2003-2007 STRATEGIC PLAN



As part of the process of developing its Strategic Plan for the next five years, the Texas Real Estate Commission will be holding four public forums in Lubbock, Austin, Houston, and Fort Worth. These forums will provide an opportunity for public comment and input into the process of determining agency priorities. Each session will be held from 1:00 to 4:00 pm and all interested persons are invited to attend. The dates and sites are as follows:

Monday, March 18, 2002: Texas Real Estate Commission  
Room 235, 1101 Camino La Costa  
Austin, TX 78752

Wednesday, March 20, 2002: Lubbock Association of Realtors  
5015 Knoxville Avenue  
Lubbock, TX 79413

Friday, March 22, 2002: Houston Association of Realtors  
3693 Southwest Freeway  
Houston, TX 77027

Wednesday, April 10, 2002: Radisson Plaza Hotel  
815 Main Street  
Fort Worth, TX 76102

Individuals who cannot attend one of the public forums but wish to submit recommendations or suggestions to TREC may do so from the agency web site [www.trec.state.tx.us](http://www.trec.state.tx.us) at the Strategic Planning page or by mailing them to TREC Strategic Plan, Post Office Box 12188, Austin, TX. 78711. The previous 2001-2005 Strategic Plan can be found on TREC's website under "Forms, Rules, Publications" and then under "Publications, Reports."



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**THE MISSION of the Texas Real Estate Commission**

is to assist and protect consumers of real estate services, and foster economic growth in Texas. Through its programs of education, licensing and industry regulation, the Commission ensures the availability of capable and honest real estate service providers.

**TEXAS REAL ESTATE  
COMMISSION****Meeting Highlights****December 3, 2001**

Official publication of the  
**Texas Real Estate Commission**  
Volume 13, Number 1  
March 2002

**Rick Perry**  
Governor

**Commission Members:**

**C. Michael Brodie**  
Chairman  
Broker member

**Lawrence D. Jokl**  
Vice-Chair  
Broker member

**John S. Walton**  
Secretary  
Broker member

**James N. Austin, Jr.**  
Broker member

**Ramon "Mick" Cantu**  
Public member

**Maria Gil**  
Public member

**Louise E. Hull**  
Broker member

**Paul H. Jordan**  
Public member

**Kay Sutton**  
Broker member

**TREC Administrator**  
**Wayne Thorburn**

**Desktop Publisher**  
**Patricia Holder**

The TRECAvvisor (ISSN 1047-4579) is published by the Texas Real Estate Commission (TREC) as an educational service to licensees in the state of Texas. The purpose of the newsletter is to promote a better understanding of the Real Estate License Act and to inform all licensees of changes affecting laws and practices in the real estate industry. The TRECAvvisor is funded through legislative appropriations and subscriptions collected from TREC licensees. The official text of TREC rules is filed with the Office of the Secretary of State, Texas Register. TREC encourages reproduction of this newsletter with the appropriate acknowledgments. Subscriptions are available for \$4.00 for two years. Single issues are \$1.00. To order a subscription or a single issue write to TRECAvvisor, Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188. For information regarding TREC, contact:

Texas Real Estate Commission  
P.O. Box 12188  
Austin, Texas 78711-2188  
(512) 459-6544 or (800) 250-TREC  
<http://www.trec.state.tx.us>

The Commission adopted an amendment to §535.72 concerning reporting of MCE course completion and amendments to §535.208 and §535.400 concerning online license and registration applications, all of which were adopted by unanimous vote. A motion to propose modifications to the application for moral character determination (§535.51) was accepted with final action scheduled for the February 2002 meeting.

A schedule for rule reviews for 2002 and the recovery fund investment policies under the Public Funds Investment Act, §2256.005 of the Texas Government Code, were approved by the Commission. The Administrator was designated as the Chief Audit Executive under the Texas Internal Auditor Act, §2102.001 of the Texas Government Code.

Chairman Brodie presented Mark Moseley, who would be retiring on December 31, 2001, with a resolution honoring him for his years of service to the Commission and State of Texas. Mr. Waters presented Mr. Moseley with a framed picture of the Capitol building as a memento of his 27 years with the Texas Real Estate Commission.

In the matter of Alvin Eugene Terry, a motion for rehearing was denied. After discussion, a motion for probated revocation was approved by majority vote. In recovery fund matters, two payments were authorized by the Commission.

**February 11, 2002**

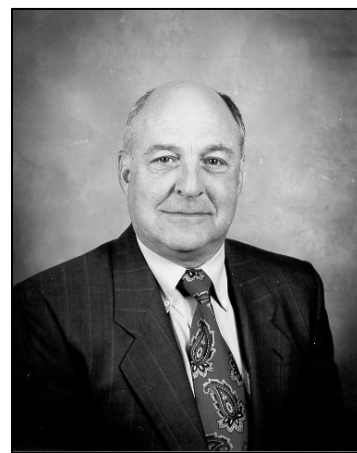
At its first meeting of the year the Commission selected Lawrence Jokl to serve as Vice Chairman and John Walton to serve as Secretary for the Commission in 2002. Commissioner Jokl reported on his service as an ex-officio member of the advisory committee to the Real Estate Center at Texas A & M University. Esta Hardy was recognized for her efforts in coordinating the agency's successful participation in the State Employee Charitable Campaign for 2002.

The Commission unanimously adopted a revision to the moral character determination form at §535.51. Under Rule Review, the Commission agreed to propose reviews of chapters 531 (Professional Ethics and Conduct of Licensees), 533 (Practice and Procedure), 534 (General Administration), and 537 (Professional Agreements and Standard Contracts) for final action at the April meeting.

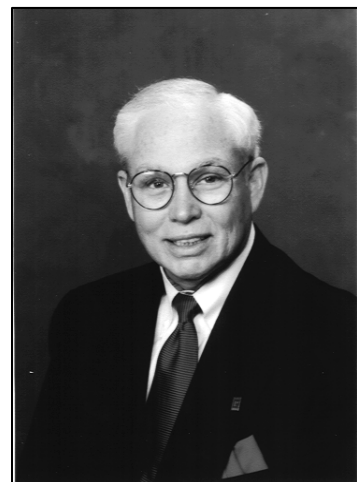
After discussing the issue, the Commission voted to accept the Administrator's recommendation to award a contract for examination services to PSI Examination Services, Inc. This contract will take effect on September 1, 2002. A schedule for the 2003-2007 Strategic Plan process was approved, including public forums in Austin, Lubbock, Houston, and Fort Worth and final adoption of a plan at the June Commission meeting.

The motion for rehearing in the matter of Ricky Ray

Andrews was denied. Four payments from the Real Estate Recovery Fund were authorized. The Commission approved changing the date of the July meeting to July 22nd.



At its February meeting, the Commission selected  
**Lawrence Jokl**  
of Brownsville (above) as  
Vice Chairman and  
**John Walton**  
of Lubbock (below) as  
Secretary for 2002.



## TREC NAMES NEW GENERAL COUNSEL AND DIRECTOR OF ENFORCEMENT

Wayne Thorburn, TREC Administrator, recently announced the appointment of **Loretta Romero DeHay** as General Counsel for the state licensing and regulatory agency. She replaces Mark Moseley who retired after more than twenty-seven years with the Texas Real Estate Commission.

Ms. DeHay is a graduate of New Mexico State University and received her law degree from the University of New Mexico. Prior to her selection as General Counsel she served as Director of Enforcement for the Texas Real Estate Commission since 1998. Previously, Ms. DeHay was Deputy Chief, Open Records Division, Office of the Attorney General of the State of Texas.

Commenting on Mr. Moseley's retirement, Wayne Thorburn stated: "We will all miss Mark, his experience with the agency, and his vast knowledge of Texas administrative law. Loretta DeHay brings to her new position a familiarity with TREC and The Real Estate License Act from her experience as Director of Enforcement. We are fortunate to have such a qualified candidate to take on the position of General Counsel." Loretta DeHay assumed the position of General Counsel effective January 2, 2002.

Assuming the position of Director of Enforcement is **Linda M. Bayless**. Ms. Bayless is a graduate of the University of North Texas and the Oklahoma City University Law school. Her legal experi-

ent District Attorney for Dallas County where she was Assistant Supervisor of the Misdemeanor Division. After moving to the Austin area in 1994, she joined the legal staff at the Texas Department of Insurance, subsequently being named Associate Commissioner of the TDI Insurance Fraud Program. Most recently, Ms. Bayless was Director of Enforcement Initiatives for the Texas Workers' Compensation Commission.

The Director of Enforcement is responsible for the administration of a 26 member staff which includes six attorneys, three legal assistants, ten field investigators and other support staff. In addition to processing more than 3,000 complaints each year, the Division provides agency oversight of the Texas Time-share Act and the Residential Service Company Act.



Bo Tanner, Deputy Commissioner of Asset Management at the Texas General Land Office (GLO), has announced that Woodlawn (a/k/a The Pease Mansion) is slated for a sealed bid sale. Bid opening will be April 25, 2002 at the Stephen F. Austin Building, 1700 N. Congress Ave., in Austin.

Originally built in 1853, with subsequent renovations and additions in 1903 and 1957, Woodlawn is considered the prototype of the Governor's Mansion. Both houses were designed and built by Abner Cook, one of the finest builders of Greek Revival homes of that period. Woodlawn has been home to two Texas Governors. The first, Gov. Elisha Pease, purchased the home in 1859, and his descendants lived there until 1957, when Gov. Allan Shivers bought it.

The property will carry a minimum bid of \$3.050 million. Broker participation is encouraged. Please contact Bo Tanner, of the General Land Office at (512) 465-5228 or Dale Curry at (512) 936-3969 to discuss registration of your clients, and to obtain bid and technical packages.



# TREC Gets Rated By Customers and Employees

The philosophy of the Texas Real Estate Commission is to ensure the availability of honest and capable real estate service providers in Texas. This is a public trust that the Commission accepts with the deepest sense of purpose and responsibility. To achieve its mission, the Commission emphasizes its core values of excellence, customer service, teamwork, and respect.

However, espousing the above values is not enough; the agency must monitor and report on the quality of actual work being done at the Commission. At TREC, there are two important methods through which we gauge our ongoing performance: Customer Service Surveys and the Survey of Organizational Excellence. Results from these two external and internal surveys are analyzed, evaluated, and incorporated into our program of continuous improvement.

TREC's customer survey is a brief questionnaire that is distributed with each license renewal, is available at our customer service window, and is accessible from our web site. Since March 2000, approximately 100,000 surveys have been distributed with 10,000 completed and returned for a response rate of 10%.

Individuals are asked to rate TREC's performance in key customer service

ing of "excellent," "good," "fair," or "poor." According to TREC's most recent survey results, in almost every key area being measured more than 80% of all customers provided a positive response. In the following eight key areas, more than 90% of all customers graded TREC's service as "excellent" or "good."

## CUSTOMER SERVICE SURVEY RESPONSES

Accuracy of written materials	97%
Telephone assistance	94%
Access to 1-800 number	94%
Timeliness of service	90%
Resolution of customer request (Adequacy/Appropriateness)	92%
Staff knowledge	95%
Staff friendliness	94%
Staff courtesy	93%

To view current results of TREC's customer survey, or to complete a survey online, please visit: [www.trec.state.tx.us](http://www.trec.state.tx.us) and click on the link entitled, "Customer Survey."

While the customer survey measures how our licensees and members of the public grade our performance, the Survey of Organizational Excellence (administered by the School of Social Work at the University of Texas) reflects how TREC's staff view the Commission.

The Survey assessment is a framework, which at its highest level, consists of five Workplace Dimensions: **Work Group, Work Setting, Organizational Features, Information, Personal.** Taken together, these five capture the total

work environment. Each Workplace Dimension consists of several Survey Constructs. The Survey Constructs are designed to broadly profile organizational strengths and weaknesses so that interventions may be targeted appropriately. Survey Constructs are developed from a series of "primary questions." Scores for the constructs range from a low of 100 to a high of 500. Scores above 300 suggest that employees perceive the issue more positively than negatively, while scores below 300 are issues viewed more negatively by employees.

In each of the Workplace Dimensions, TREC scored significantly higher than the benchmark for similar size organizations, organizations with similar missions, and "all state agencies."

One of the benefits of continuing to participate in the survey is that over time we get to see how employees' views have changed as a result of implementing efforts suggested by previous survey results. Positive changes indicate that employees perceive the issue as adequately improved since the previous survey. Negative changes indicate that employees perceive that the issue has worsened since the previous survey. **Of the constructs surveyed, all but one construct showed significant improvement compared to TREC results from the last sur-**

**vey.** The one construct where the overall score declined from 1999 was "Fair Pay."

Overall, TREC has improved across many areas compared to the last survey. The following areas are especially noteworthy because **TREC employees feel that these are the most significant improvements.** The numbers reflect the improvement in scores compared to the last survey in 1999.

#### **Fairness (289 to 388)**

Fairness measures the extent to which employees believe that equal opportunity exists for all members of the organization.

#### **Empowerment (307 to 390)**

Empowerment measures

the degree to which employees feel that they have some control over their jobs and the outcome of their efforts.

#### **Supervisor Effectiveness (297 to 375)**

Supervisor Effectiveness provides insight into the nature of supervisory relationships in the organization, including the quality of communication, leadership, and fairness that employees perceive exist between supervisors and themselves.

#### **Availability of Information (331 to 399)**

Availability of information provides insight into whether employees know where to get information they need and whether they have the ability to ac-

cess it in a timely manner.

#### **Burnout (331 to 396)**

Burnout is a feeling of extreme mental exhaustion that can negatively impact employees' physical health and job performance, leading to lost resources and opportunities in the organization. Here, standard scoring methodology is maintained; therefore, the higher the score the less likely that employees perceive that burnout exists in the organization.

TREC is proud to report these results. They demonstrate a consistency between external and internal perceptions of how well we conduct our business at the Commission.

#### **Survey of Organizational Excellence: Employee Perceptions ( Range 100-low to 500-high)**

<b>Work Group</b>	<b>381</b>	Work Group Constructs: supervisor effectiveness, fairness, team effectiveness, diversity
<b>Work Setting</b>	<b>359</b>	Work Setting Constructs: physical environment, benefits, employment development
<b>Organizational Features</b>	<b>399</b>	Organizational Features Constructs: change oriented, goal oriented, holographic, strategic, quality
<b>Information</b>	<b>391</b>	Information Constructs: internal, availability, external
<b>Personal</b>	<b>390</b>	Personal Constructs: time and stress, burnout, empowerment

### **TREC RECOGNIZED FOR CHARITABLE CONTRIBUTIONS**

For the third consecutive year the Texas Real Estate Commission has been recognized for its performance in the State Employee Charitable Campaign. At a Capital Area Awards Ceremony held in Austin on February 5<sup>th</sup>, TREC received the award for Highest Participation of employees in the state charitable campaign among similarly-sized agencies.

For the 2002 campaign, 92% of all TREC employees made a donation through the State Employee Charitable Campaign - an increase from 73% participation in the previous year. In addition, this year's campaign saw an increase in actual dollars raised by 73% over the previous totals. The 2002 campaign was coordinated by Esta Hardy, Legal Assistant in the Commission's Enforcement Division



#### **TREC's State Employee Charitable Campaign Committee**

Esta Hardy, Helen Saldana, Jackie Revilla, Beverly Arnold (not pictured), Anthony Whitt, Clara Cockerham, Myra Martin, and Kim Tindall.



# Disciplinary Actions

## November 2001-January 2002

### Calendar of Events

#### Commission Meetings:

April 10, 2002  
(Fort Worth, TX)  
June 3, 2002  
July 22, 2002  
September 9, 2002

#### Broker-Lawyer Committee Meetings:

April 18-19, 2002  
June 6-7, 2002

#### Web site:

<http://www.trec.state.tx.us>

#### Phone

(800) 250-TREC (8732)  
or  
(512) 459-6544

#### Velez, Walter

(Dallas); license# 381361

Revocation of broker license, effective November 5, 2001; filing a mechanic's lien and a groundless lawsuit to recover a commission when there was no written agreement or promise to pay by the party sued and refusing to observe court ordered sanctions in 2 counts, in violation of Section 15(a)(6)(V) of The Real Estate License Act

#### Hooker, Jaana Rene

(Dallas); license# 436435

Revocation of broker license, effective November 6, 2001; failing to provide adequate training to and sufficient supervision over a salesperson leading to financial injury to a buyer whom she represented, in violation of Section 15(a)(6)(W) of The Real Estate License Act

#### Canare, Evelyn Ang

(Houston); license# 319716

Agreed reprimand of broker license, entered November 7, 2001; while acting as a property manager, placing rents collected into her business operating account rather than into a trust account designated as such, thereby commingling funds belonging to others with her own funds, in violation of Section 15(a)(6)(E); failing to collect a security deposit from a tenant, thereby acting negligently or incompetently in performing an act for which a person is required to hold a real estate license, in violation of Section 15(a)(6)(W); conducting business as a real estate broker through a corporation which was not licensed as a broker; thereby forming an association with an unlicensed person, in violation of Section 15(a)(6)(S) of The Real Estate License Act; failing to notify the Commission in writing of the use of an assumed business name, in violation of 22 TAC Section 535.154(c) of the Rules of the Texas Real Estate Commission

#### Allison, John H.

(Whitney); license# 397387

Revocation of salesperson license, effective November 8, 2001; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Montoya, Ted A.

(Bryan); license# 372371

Agreed 6-month suspension of salesperson license fully probated for 2 years, effective November 9, 2001; Agreed administrative penalty of \$500 due by January 9, 2002; acting negligently or incompetently by incorrectly completing the contract form, failing to obtain the buyer's signature, failing to insert an effective date in the contract, adding language regarding payment of a commission in the contract, failing to maintain contact with the listing agent and return telephone calls and failing to follow up on issues related to buyer's financing, in violation of Section 15(a)(6)(W); failing to deposit a buyer's earnest money within two working days, in violation

of Section 15(a)(6)(Y); failing to furnish the written statement regarding agency relationships to a party to a real estate transaction as required by Section 15C(d); failing to indicate on one contract which party he represented and on a second contract incorrectly listing his company as having a listing on the property, in violation of Section 15(a)(6)(D) of The Real Estate License Act; using a promulgated lease form for a period beyond the 90 days permitted by the form, in violation of 22 TAC Section 537.11(d) of the Rules of the Texas Real Estate Commission

#### Hammer, Tracy Evan

(San Antonio); license# 320615

Agreed reprimand of broker license, entered November 15, 2001; Agreed administrative penalty of \$200 entered November 15, 2001; failing to pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Roberson, Donald Elwood

(Tyler); license# 148175

Agreed reprimand of broker license, entered November 15, 2001; Agreed administrative penalty of \$500 entered November 15, 2001; negotiating directly with a seller knowing a property is listed with another real estate broker, in violation of Section 15(a)(6)(N) and Section 15(a)(6)(W); failing to furnish the written statement regarding agency relationships to a party to a real estate transaction as required by Section 15C(d) of The Real Estate License Act

#### Yoon, Jung Keun

(Killeen); license# 424990

Revocation of salesperson license, effective November 15, 2001; mishandling funds and earnest money, failing to maintain the funds, converting funds to his own use, and refusing to remit or account for such funds upon demand, in 3 violations of Section 15(a)(6)(E); acting negligently or incompetently by failing to maintain business records sufficiently to provide an accounting within a reasonable time, in violation of Section 15(a)(6)(W); failing to furnish the written information on brokerage services as required, in violation of Section 15C(d); failing to obtain written consent of each party to act as an intermediary, in violation of Section 15C(h); failing or refusing to produce a document, book, or record in his possession concerning a real estate transaction for inspection by the Texas Real Estate Commission, in violation of Section 15(a)(7) of The Real Estate License Act

#### Dooley, Fannie Ruth

(Burnet); license# 399672

Agreed reprimand of salesperson license, entered November 16, 2001; Agreed administrative penalty of \$200 entered November 16, 2001; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Bass, John F.

(Fort Worth); license# 444328

Revocation of salesperson license; effective November 19, 2001; mishandling funds belonging to another by failing to properly account for or remit them or commingling them with his own funds, in violation of Section 15(a)(6)(E); misrepresenting to a party the status of her purchase and the cause of her not receiving a refund after transaction did not close, in violation of Section 15(a)(6)(V) of The Real Estate License Act

#### Ernst, Jeanne M.

(Houston); license# 375263

Revocation of salesperson license; effective November 19, 2001; accepting \$20,000 in cash and \$1,000 by check from a buyer for delivery to a seller and converting the money to her own use, in violation of Section 15(a)(6)(E) of The Real Estate License Act

#### Teinert, Gary Michael

(Corpus Christi); license# 411951

Revocation of salesperson license; effective November 20, 2001; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Kasko, Marilyn Jean

(Plano); license# 339339

Agreed reprimand of broker license; entered November 26, 2001; Agreed administrative penalty of \$200 entered November 26, 2001; failing to complete mandatory continuing education hours within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Echols, Thomas Matthew, Jr.

(Dallas); license# 415949

Agreed reprimand of salesperson license, entered November 26, 2001; Agreed administrative penalty of \$200 entered November 26, 2001; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Jagours, Larry L.

(Frisco); license# 301123

Agreed reprimand of salesperson license; entered November 27, 2001; Agreed administrative penalty of \$200 entered November 27, 2001; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

#### Weedn, Robert Ribble

(Houston); license# 314219

Agreed reprimand of broker license; entered November 29, 2001; Agreed administrative penalty of \$250 entered November 29, 2001; altering Commission-promulgated contract form TREC No. 20-3 for use in a contract-for-deed transaction and



using an obsolete contract form, in violation of 22 TAC Section 537.11(d) of the Rules of the Texas Real Estate Commission

**Velkovich, Jan Marie**  
(Houston); license# 407800

Agreed reprimand of salesperson license, entered November 29, 2001; Agreed administrative penalty of \$250 entered November 29, 2001; altering Commission-promulgated contract form TREC No. 20-3 for use in a contract-for-deed transaction and using an obsolete contract form, in violation of 22 TAC Section 537.11(d) of The Real Estate License Act

**Morgan, Robert S.**  
(Rockport); license# 110979

Agreed revocation of broker license, effective December 3, 2001; final conviction of a felony in which fraud is an essential element, in violation of Section 15(a)(1) of The Real Estate License Act

**McLemore, Dolly Lynn**  
(Arlington); license# 465000

Revocation of salesperson license, effective December 3, 2001; failing to provide information to the Commission in response to Commission's request for same in connection with an application for renewal of a real estate salesperson license, in violation of 22 TAC Section 535.91(a) of the Rules of the Real Estate Commission

**Maples, Joanne Moore**  
(Dallas); license# 295303

Revocation of broker license, effective December 3, 2001; failing within a reasonable time to make good a check issued to the Commission and to pay the processing fee, in violation of Section 15(a)(4) of The Real Estate License Act

**Liles, Robert Milas**  
(McAllen); license# 215065

Revocation of broker license, fully probated for 18 months, effective December 3, 2001; payment of \$28,307.88 made by the Texas Real Estate Commission from the Real Estate Recovery Fund toward satisfaction of a judgment against Robert Milas Liles, in violation of Section 8(i) of The Real Estate License Act

**Garcia, Diana**  
(Austin); license# 385513

Revocation of salesperson license, effective December 3, 2001; failing within a reasonable time to make good a check issued to the Commission and to pay the processing fee, in violation of Section 15(a)(4) of The Real Estate License Act

**Britton, Janice L.**  
(Burleson); license# 412065

Revocation of salesperson license, effective December 3, 2001; failing to provide information to the Commission in response to the Commission's request for same in connection with an application for renewal of real estate salesperson license, in violation of 22 TAC Section 535.91(a) of the Rules of the Texas Real Estate Commission

**Koch, Josie Elizabeth**  
(Fort Worth); license# 462828

360-day suspension of salesperson license, effective December 3, 2001; negotiating an earnest money refund check belonging to a buyer without the buyer's authorization and failing within a reasonable time to properly account for or remit the money, in violation of Sections 15(a)(6)(E) and 15(a)(6)(V); collecting and retaining earnest money and a loan's principal prepayment from a buyer without his authorization or the knowledge of her sponsoring broker, failing within a reasonable time to properly account for or remit the money, and failing within a reasonable time to properly deposit money received as escrow agent, in violation of Sections 15(a)(6)(E), 15(a)(6)(V) and 15(a)(6)(Y) of The Real Estate License Act

**Terry, Alvin Eugene**  
(Houston); license# 318856

Revocation of broker license fully probated for two years, effective December 7, 2001; depositing a client's funds into a business operating account rather than a trust account and not refunding the money when requested, thereby failing to properly account for or remit money coming into his possession which belonged to others and commingling money belonging to others with his own funds, in violation of Section 15(a)(6)(E); permitting an unlicensed associate to distribute a business card which could confuse the public into believing that the unlicensed associate was involved in the real estate brokerage business, and not taking care to ensure proper handling of funds which he knew or should have known belonged to others, thereby acting negligently or incompetently in performing an act for which a person is required to hold a real estate license, in violation of Section 15(a)(6)(W) of The Real Estate License Act

**Sullivan, John Richard**  
(Dallas); license# 175158

Agreed 2 year suspension of broker license fully probated for 30 months, effective December 22, 2001; pleading guilty to a felony in which fraud is an essential element, in violation of Section 15(a)(1) of The Real Estate License Act

**Smith, Robert H. McKenzie**  
(Fort Worth); license# 218016

Agreed reprimand of broker license, entered January 7, 2002; Agreed administrative penalty of \$200, entered January 7, 2002; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

**Okpa, Ejike Edward, Jr.**  
(Mesquite); license# 401605

Agreed reprimand of salesperson license, entered January 7, 2002; Agreed administrative penalty of \$200, entered January 7, 2002; failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

**Morold, Karl J.**  
(Dallas); license# 375482

Agreed reprimand of salesperson

license, entered January 8, 2002; acting negligently or incompetently by following the buyer's instructions to not deposit the earnest money with escrow agent as provided in the sales contract and not informing the seller of such, in violation of Section 15(a)(6)(W) of The Real Estate License Act

**Ramirez, Everado Lali**  
(Austin); license# 459251

Agreed suspension of salesperson license, effective January 8, 2002; non-payment of child support; license suspended as ordered by the Office of the Attorney General

**Campbell, Christine**  
(Austin); license# 410178

Revocation of salesperson license; effective January 10, 2002; failing to provide information to the Commission in response to Commission's request for same in connection with an application for renewal of real estate salesperson license, in violation of 22 TAC Section 535.91(a) of the Rules of the Texas Real Estate Commission

**Kerr, Len Dan**  
(Bryan); license# 457051

Agreed reprimand of salesperson license; entered January 22, 2002; Agreed administrative penalty of \$200, entered January 22, 2002; failing to complete mandatory continuing education hours within in the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

**Contreras, Fred**  
(San Antonio); license# 396318

Revocation of broker license, effective January 28, 2002; payment of \$26,072.99 made by the Texas Real Estate Commission from the Real Estate Recovery Fund toward satisfaction of a judgment against Fred Contreras, in violation of Section 8(i); failing to disclose an unpaid judgment on a license application, in violation of Section 15(a)(2) of The Real Estate License Act

**Simpson, Roy Clemon**  
(Houston); license# 475163

Agreed 60-day suspension of salesperson license fully probated for 1 year, effective January 29, 2002; presenting a real estate sales contract to the escrow agent when the contract had not actually been approved or signed by the buyer and giving the buyer conflicting explanations for an increase in the sale price reflected on the contract, thereby engaging in dishonest dealings, bad faith, or untrustworthiness, in violation of Section 15(a)(6)(V); acting negligently or incompetently in performing an act for which a person is required to hold a real estate license, in violation of Section 15(a)(6)(W); failing to furnish a party with the written statement required by Section 15C(d) of The Real Estate License Act

**Dowling, Raymond Britton**  
(Richardson); license# 424508

Agreed 1 month suspension of salesperson license fully probated for 3 months, effective January 31, 2002; acting negligently or incompetently by inserting a change to a sales contract without the written consent of the seller, in violation of Section 15(a)(6)(W) of The Real Estate License Act

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## **Outstanding Employee Award**

TREC is proud to announce that **KAREN ALEXANDER** recently received the Outstanding Employee Award for the second half of calendar year 2001.

Karen is Chief Accountant for the Texas Real Estate Commission and works in the Staff Services Division where she assists the Division Director on all financial matters, including oversight of the agency's operating budget, receipts and expenditures. Karen is a valuable asset to the agency and this recognition by her fellow employees is an indication of her professionalism and dedication to the work of the Commission.

Candidates for this award are nominated by their fellow employees in recognition of their contributions to the agency over the past six months. Each honoree is recognized at a Town Meeting of all staff, receives a framed certificate, has use of a special reserved Outstanding Employee parking space for six months, is recognized on TREC's web page, and has his or her name added to the permanent Outstanding Employee plaque on display in the TREC Austin headquarters reception area.

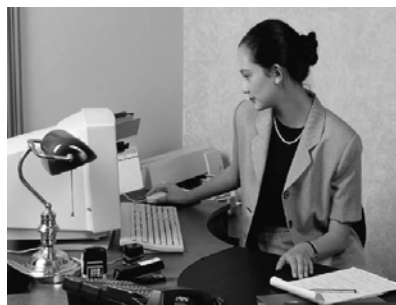
## **Got A Question About A Relocation Company?**

Through a link maintained on the TREC web site, licensees may directly access The Real Estate Coalition for Cooperative Business Practices (the Coalition) of the Employee Relocation Council. By clicking on "The Interchange" on the Coalition's website at

<http://coalition.erc.org>

Licensees may raise concerns about their dealings with a relocation company and send a message to the appropriate company for response.

## **Check us out!**



[www.trec.state.tx.us](http://www.trec.state.tx.us)

FOR ALL TREC FORMS, CONTRACTS and ADDENDA INFORMATION ON  
LICENSEES, EDUCATION PROVIDERS, ON-LINE LICENSE RENEWALS  
And **SALESPERSONS ORIGINAL APPLICATIONS**  
**PLUS MUCH MORE!**